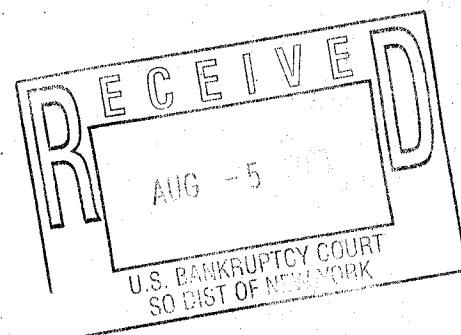


1 Mark Ragonese
2 In pro per
2 1929 N. Pepper St
3 Burbank, CA 91505
3 (818) 945-0874



6 **UNITED STATES BANKRUPTCY COURT**
7 **CENTRAL DISTRICT OF NEW YORK**

9 In re:) Case No. 12-12020(MG)
10 RESIDENTIAL CAPITAL, LLC, et al.) Chapter 13
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**CREDITOR MARK RAGONESE'S
RESPONSE TO DEBTOR'S TWENTIETH
OMNIBUS OBJECTION TO CLAIMS**

Hearing:
Date: August 21, 2013
Time: 10:00 a.m.
Place: Courtroom 501
One Bowling Green, New York, New York

19 **TO THE COURT AND ALL INTERESTED PARTIES,** I Mark Ragonese as a
20 creditor in this action, hereby submit my **Response** to Debtor's Twentieth Omnibus Objection to
21 Claims.

22 On November 6, 2012, I mailed my **Proof Of Claim** in this action, which was received by
23 the Court and file stamped November 13, 2012. On July 3, 2013, Debtor **RESIDENTIAL**
24 **CAPITAL, LLC., (RESIDENTIAL)** filed its Twentieth Omnibus Objection to Claims, as to
25 Borrowers' Claims with Insufficient Documentation, I was one of the named creditors in its
26 Objection to Claims.

27 I hereby request that the Court not disallow my claim.
28

STATEMENT OF FACTS

1. I had been a customer of GMAC Mortgage (Account/Loan No.: 0590530705) for over 20 years, when in March of 2009, I learned of the President's announcement of the Government's Home Affordable Refinance Program (HARP). I am on a disability fixed income, and believed that the program would significantly help my financial situation. I reviewed the eligibility requirements and determined that I easily qualified for the program.

2. I immediately submitted my application/modification package, this was in approximately May of 2009. After several month I was informed by a representative of GMAC that I did not qualify for the HARP program. The representative's response did not appear to comport with the stated eligibility requirements of the program, so I asked that my application be review by a GMAC supervisor. Upon this review, I was again denied modification under the HARP program and told I did not qualify. Again, I fully believed that I did in fact meet all the eligibility requirements for inclusion in the HARP program.

3. Because GMAC denied my application, for the past 4 year and 4 months, I have been paying a significantly higher monthly mortgage payment from what I would have been entitled to under HARP. This fact was further established when GMAC transferred my loan to Green Tree (Account/Loan No.: 6256065388).

4. Shortly after my loan was transferred to Green Tree, I was informed by one of its representatives that I did qualify for a loan modification under the HARP program. Green Tree then immediately lowered the interest rate on my mortgage from 6.25% to approximately 3%. This reduction in interest will result in a reduction of my monthly mortgage payments from \$992.04, to \$750.80; a monthly savings of \$241.24. My new monthly payment began this month, (August, 2013). Please see GMAC monthly mortgage statement, attached hereto as Exhibit 1; and Green Tree monthly mortgage statement, attached hereto as Exhibit 2.

5. GMAC's improper denial of my loan modification has resulted in my having to pay at least \$12,544.48 more than I should have over the last 4 years and 4 month.

6. To date I have been unable to locate the letters from GMAC documenting its denial of my loan application/modification under the HARP program, but I am continuing to

1 search my records and will provide copies to the Court and interested parties once I have found
2 them. Copies should be available to Debtor from its own records.

3 **CONCLUSION**

4 Based upon the above, I respectfully request that the Court not disallow my claim

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6 Dated: August 2, 2013

Mark Ragonese
7 Mark Ragonese

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